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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/582,966	06/15/2006	Andrea Barbaresi	09952.0058	7718

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FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER
LLP
901 NEW YORK AVENUE, NW
WASHINGTON, DC 20001-4413

EXAMINER

PATEL, SHAMBHAVI K

ART UNIT	PAPER NUMBER
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2128

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07/18/2011

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/582,966	Applicant(s) BARBARES ET AL.	
	Examiner SHAMBHAVI PATEL	Art Unit 2128	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 07/28/10.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 23, 25-28, 30-33, 35-38, 40-42 and 44 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 23, 25-28, 30-33, 35-38, 40-42 and 44 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 15 June 2006 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 23, 25-28, 30-33, 35-38, 40-42 and 44 have been presented for examination.

Priority

2. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d).

Response to Arguments

3. In view of Applicant's arguments, the 35 U.S.C. 112 rejection is withdrawn.
4. Applicant's arguments regarding the prior art rejection have been fully considered but they are not persuasive. **Applicants submit**, on pages 13-14 of the remarks, that Barbaresi fails to disclose that any modules representing protocol layers comprise core network modules with partly different operation for each of a plurality of different telecommunication systems, because the protocol layers in Barbaresi are implemented to operate specifically as required for a single, particular type of communications network. **Examiner notes** that Applicant appears to be arguing that each of the core network modules is identical but operates differently depending on which telecommunication system is using it – however, this is not required by the claim language. The limitation only requires that there be a plurality of core network modules, wherein the modules operate differently for each of the telecommunication systems (i.e. the limitation does not require that each of the core network modules be identical). In other words, the claim does not positively recite complete interoperability between each of the core network modules and each of the telecommunication systems -- rather, it is only required that there be interoperability between each telecommunication system and at least one core network module. This is taught by Barbaresi, wherein even though each of the modules (GSM_MS and GPRS_MS) that implement protocol layers are specific to particular types of telecommunication systems, they provide the same function for each of the telecommunication systems (thus, the two network modules have partly different operations) (see pages 7-10 of Barbaresi).

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 23, 25-28, 30-33, 35-38, 40-42 and 44 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by **Barbarese (WO 02/104055)**.

Regarding claims 22, 33 and 44:

Barbarese discloses a method for simulating communication networks by means of an object based architecture in which each object represents a device of the network, the simulated network being capable of corresponding to a plurality of different systems, comprising the step of subdividing the physical devices of the network, for simulation purposes, into:

- a. identifying a first set of system-independent devices, operation of the system-independent devices being identical for each of the plurality of different telecommunication systems (**pages 6-7: objects related to the scenario being simulated, such as typology and location of buildings**)
- b. identifying a second set of system devices, the operation of the system-dependent devices in said second set being specific for one of the plurality of different telecommunication systems (**page 6 last paragraph: devices representative of physical devices of the network**), the second set including mobile terminal devices (**page 7: terminal devices**)
- c. identifying a third set of interaction devices, the interaction devices of said third set being able to communication and interact with said system-independent devices and with said system-dependent devices (**page 9 4th paragraph: radio link**)
- d. assigning to each device software modules relating to different functionalities managed by the device (**pages 6 and 7: devices represented by software**)
- e. modeling, on the digital computer, the mobile terminal devices as a grouping of modules simulating behavior of different protocol layers present in the mobile terminal devices, wherein the modules comprises (**page 6: GSM and GPRS**)
 - i. application modules having a same implementation for the plurality of different telecommunications systems (**page 7: mobility module**)

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- ii. access modules being specific for one of the plurality of different telecommunication systems (**page 7: class representative of the device “terminal GSM type” and a class representative of the device “terminal of GPRS type”**)
- iii. core network modules being used by the plurality of different telecommunication systems but with partly different operation for each of the plurality (**pages 7 and 8: GSM_MS and GPRS_MS**)

Regarding claim 44, Barbaresi discloses a computer program product capable of being loaded in the memory of at least an electronic computer and comprising portions of software code capable of implementing the method as claimed in claim 23 (**page 4 1st-2nd paragraphs**).

Regarding claims 25 and 35:

Barbaresi discloses a generic host (HOST) holding an application server of a packet-switched network (**page 6: HOST**).

Regarding claims 26 and 36:

Barbaresi discloses providing one of a mobile services switching center (MSC), a serving GPRS support node (SGSN) and a gateway GPRS support node (GGSN) (**page 6: SGSN, GGSN**).

Regarding claims 27 and 37:

Barbaresi discloses providing one of a BTS and BSC for a GSM/GPRS system and a Node B and an RNC for a UMTS system (**page 6: BTS and BSC; page 11: generic device BTS**).

Regarding claims 28 and 38:

Barbaresi discloses the method as claimed in claim 23, wherein the modules said mobile terminal devices comprise a part that is common to all the systems of said plurality and a part that is specific for the one of the plurality (**page 7 2nd paragraph: MS 41**).

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Regarding claims 30 and 40:

Barbaresi discloses configuring the set of said application modules and of said core network modules in a mobile unit (page 9 4th paragraph: radio link; pages 13 and 14: initialization).

Regarding claims 31 and 41:

Barbaresi discloses configuring said mobile terminal devices as constituted by the composition of said mobile unit and of specific access modules of the one of the plurality of different telecommunication systems (page 4 3rd paragraph: configuration; pages 13 and 14: initialization).

Regarding claims 32 and 42:

Barbaresi discloses making the access modules of said mobile terminal devices communicate with the modules present in the devices of said second set (pages 7 and 8: GSM_MS and GPRS_MS).

Conclusion

6. **Examiner's Remarks:** Examiner has cited particular columns and line numbers in the references applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in their entirety as potentially teaching all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the Examiner. In the case of amending the claimed invention, Applicant is respectfully requested to indicate the portion(s) of the specification which dictate(s) the structure relied on for proper interpretation and also to verify and ascertain the metes and bounds of the claimed invention.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shambhavi Patel whose telephone number is (571) 272-5877. The examiner can normally be reached on Monday-Friday, 8:00 am – 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kamini Shah can be reached on (571) 272-22792279. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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/Shambhavi Patel/
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